

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MATTHEW ANDREW GARCES,	§	
	§	
Plaintiff,	§	
	§	
v.	§	SA-25-CV-388-OLG (HJB)
	§	
SAN ANTONIO POLICE DEPARTMENT,	§	
OFFICER RICARDO CARRERA	§	
PINEYRO Badge #1363, OFFICER	§	
MARK AVILA Badge #3600, CITY OF	§	
SAN ANTONIO, and NATIONAL	§	
GENERAL INSURANCE CO.,	§	
	§	
Defendants.	§	

**ORDER**

Before the Court is the status of the above case in which pretrial and scheduling matters have been referred to the undersigned pursuant to 28 U.S.C. § 636(b). (*See* Docket Entry 23.)

On August 26, 2025, the District Court imposed a \$500 sanction on Plaintiff for frivolous filings and ordered that any subsequent filings from Plaintiff be refused until the sanction is paid. (Docket Entry 40, at 2.) Plaintiff was warned that duplicative, frivolous, or harassing filings would result in heightened sanctions. (*Id.*)

In light of the Court's ruling, it is hereby **ORDERED** as follows:

- 1) The Initial Pretrial Conference ("IPC") in this matter, scheduled for October 22, 2025, is **CANCELLED**, and no pre-conference filings are required at this time. The IPC may be rescheduled upon Plaintiff's compliance with the Court's sanctions order.
- 2) In light of the Court's warning against frivolous, duplicative, or harassing filings, Plaintiff's renewed motion for recusal and motion for sanctions (Docket Entry 39) is **DENIED WITHOUT PREJUDICE**. This document appears to be duplicative of

previously denied motions (*see* Docket Entries 22, 27, and 38), but it was filed immediately before the Court imposed its sanctions order. Accordingly, no additional sanction should be imposed on the basis of this motion. Plaintiff may file motions again once he has complied with the Court's sanctions order, but he is admonished that any duplicative, frivolous, or harassing filings could result in additional sanctions.

**SIGNED** on September 12, 2025.



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Henry J. Bemporad  
United States Magistrate Judge